

Domestic Relations Committee
Judicial Conference of Indiana

Minutes
March 15, 2002

The Domestic Relations Committee met in Indianapolis, Indiana on Friday, March 15, 2002, from 10:30 a.m. - 3:00 p.m. at the Indiana Judicial Center.

1. Members present. Cynthia J. Ayers, Robert R. Aylsworth, David Bonfiglio, Thomas J. Felts, E. Michael Hoff, Keith A. Meier, Michael P. Scopelitis, Kathy R. Smith, William C. Whitman, and Daniel F. Donahue, Chair.
2. Staff present. Jeffrey Bercovitz provided the committee with staff assistance.
3. Minutes approved. The minutes for the meeting of the committee on February 15, 2002 were approved.
4. Guests present. Dr. David Betson, University of Notre Dame; Carol Branham; Paul Leonard, Chair, Family and Juvenile Law Section, Indiana State Bar Association; Robert Monday, PACE; and Roger Madden were also present.
5. Recent legislation. Mr. Bercovitz distributed Senate Enrolled Act 178 (child support), and House Enrolled Acts 1077 (child support arrearages) and 1083 (Allen County Pilot Mediation Program) to committee members. The committee members agreed the emergency provisions of the support arrearage bill should be reported to all judges via the Friday update as soon as possible since the governor signed the bill on March 14.
6. Child Support Guideline review.
 - a. Dr. David Betson, University of Notre Dame, presented materials concerning the economics of divorce and the Indiana Child Support Guidelines and discussed them with the committee.
 - b. The committee members agreed by consensus to hire Dr. Betson to suggest guideline procedures for shared and joint custody situations, review taxes, savings rates and other factors for possible revision of the basic child support obligation tables, and other areas.
 - c. Mr. Bercovitz distributed a draft memorandum to announce a public hearing to solicit comments on the support guidelines. The committee agreed the memo should solicit comments by early May and give notice of the public hearing in July.
 - d. The committee agreed a website should be created with the Child Support Guidelines and a reference to the Marion Child Support Calculator if they would permit it. In addition, they said a website should be created to collect comments to the guidelines.
 - e. Mr. Leonard reported the Family and Juvenile Law Section, ISBA has repeatedly discussed the effect of remarriage of both parents on child support – and how this will effect imputed income and how income of the new spouses should be considered. Mr. Monday asked whether the income of a child who has a job and pays for car insurance or other items should be considered for purposes of child support.
7. Next meeting dates. The members of the committee agreed to not meet on Friday, April 19 because of the judicial conference that day. They agreed to meet again on Friday, May 17, July 19 and August 16, 2002 from 10:30 a.m. – 4:00 p.m. at the Judicial Center; September 11 from 10:30 a.m. – 12:00 noon, in conjunction with the September Conference in Ft. Wayne, and Friday, October 18, and November 15, 2002 and Friday, January 17, 2003 from 10:30 a.m. – 4:00 p.m. at the Judicial Center.

Respectfully submitted,

Jeffrey Bercovitz, Director
Juvenile and Family Law